

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development

REF NO: LU/83/19/CLP

LOCATION: 41 Western Road
Littlehampton
BN17 5PG

PROPOSAL: Lawful development certificate for the proposed use of existing dwellings as 2 No. separate dwellings.

DESCRIPTION OF APPLICATION

The application seeks to convert an existing outbuilding to 1No. dwelling.

RELEVANT SITE HISTORY

LU/149/19/L	Application for Listed Building Consent to install boiler in the kitchen. Install shower room adjoining the cloakroom. Close wall opening between the lounge & dining room & replace front outdoor light fitting with new - This application may affect the character and appearance of Littlehampton Sea Front Conservation Area.	
LU/18/19/PO	Application for removal of planning obligation imposed on planning reference LU/192/90 dated 3/9/1991 referring to the occupation of the cottages	
LU/325/94/L	Application for Listed Building Consent for amendment to north elevation of previously approved extension-patio doors in lieu of double sash window.	ApproveConditionally 24-01-95
LU/193/90/L	Application for Listed Building Consent for rehabilitation and rear extension to existing outhouse	ApproveConditionally 10-09-90

REPRESENTATIONS

Representations Received:**CONSULTATIONS****Consultations Responses Received:****LEGISLATIVE BACKGROUND**

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 3, which pertains to the change of use.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

CONCLUSION

The proposal seeks to change the use of an outbuilding which is to be used solely for the purposes incidental to 41 Western Road to 1No. dwelling.

There is no permitted change of use within any Class of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) which would include an outbuilding (of incidental use) to C3 dwellinghouse. An application for planning permission is therefore required.

An application has been submitted to remove the planning condition restricting its usage, however even if this was to be approved the development would still not fall within a permitted change within the GDPO and would constitute a material change of use in which planning permission would be required.

RECOMMENDATION**PP REQUIRED**

The Arun District Council hereby certify that on 29th March 2019 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, would not be lawful within the meaning of section 192 of the

Town & Country Planning Act 1990 due its non compliance with any part of Schedule 2, Part 3, of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

FIRST SCHEDULE

Change of use from outbuilding (incidental to use of 41 Western Road) to the use as 1No. dwellinghouse.

SECOND SCHEDULE

41 Western Road, Littlehampton, BN17 5PG

EXTENT OF USE

Change of use from outbuilding (incidental to use of 41 Western Road) to the use as 1No. dwellinghouse.

LU/83/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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